

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:

MOUNTAIN EXPRESS OIL COMPANY, *et al.*,

Debtors.

Chapter 7

Case No. 23-90147 (EVR)

(Jointly Administered)

**AMENDED NOTICE OF RULE 2004 EXAMINATION**

To:

**Oak Street Real Estate Capital, LLC n/k/a Blue Owl Real Estate Capital, LLC**

**-and-**

**Jared Sheiker  
c/o Benjamin T. Kurtz, Esq.  
Kirkland & Ellis LLP  
300 N. LaSalle  
Chicago, IL 60654**

NOTICE IS HEREBY GIVEN that Janet Northrup, as Chapter 7 Trustee of the above-captioned debtors (the “Debtors”), by and through her undersigned counsel, intends to conduct an examination of Jared Sheiker (“Sheiker”), individually and as the corporate representative of Oak Street Real Estate Capital, LLC n/k/a Blue Owl Real Estate Capital, LLC (“Oak”), under Federal Rules of Bankruptcy Procedure 2004, 7030 and 7034 and Bankruptcy Local Rule 2004-1 on **February 14, 2024** beginning at **9:00 a.m.** (Central Time) (or at such other time as may be agreed to by the parties) at the offices of Kirkland & Ellis LLP, 300 N. LaSalle, Chicago, Illinois 60654. The examination will be taken pursuant to an agreement between the parties and will be taken before an authorized court reporter or other person authorized by law to administer oaths and will be recorded by stenographic and videographic means. The examination of Oak will cover the topics set forth in Schedule A hereto.

Dated this 5<sup>th</sup> day of February, 2024.

**GREENBERG TRAURIG, LLP**

By: /s/ John D. Elrod

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– and –

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**SPECIAL LITIGATION COUNSEL FOR JANET  
NORTHRUP, CHAPTER 7 TRUSTEE**

## **SCHEDULE A**

### **DEPOSITION TOPICS**

#### **DEFINITIONS**

The definitions and rules of construction set forth in Rule 7026 of the Federal Rules of Bankruptcy Procedure are incorporated by reference as if set forth fully herein.

- (a) “*Bankruptcy Cases*” means the above-captioned bankruptcy cases of the Debtors.
- (b) “*Including*” means including but not limited to.
- (c) “*Mountain Express*” or “*Debtors*” means Mountain Express Oil Company, *et al.*, any subsidiaries or affiliates thereof, any and all predecessors or successors in interest thereof, and any of its officers, directors, employees, consultants, agents, representatives, executives, partners, investigators, consultants, contractors, advisors, accountants and attorneys.
- (d) “*Oak*” means Oak Street Real Estate Capital, LLC n/k/a Blue Owl Real Estate Capital, LLC and their affiliates.
- (e) “*Relating to*,” “*regarding*,” “*referring to*,” or “*pertaining to*” shall mean directly or indirectly mentioning or describing, or being connected with, or reflecting upon a stated subject matter, document, event, entity or person.
- (f) The terms “*you*” and “*your*” shall mean or refer to Jared Sheiker and shall include any and all representatives, employees, attorneys, agents, investigators and all other persons presently or formerly acting or purporting to act on your behalf.

#### **TOPICS**

1. The relationship between Oak and the Debtors.
2. The negotiation and performance of the Oak Program Agreement dated June 30, 2021 by and between Oak and the Debtors.

3. The sale leaseback transactions between Oak and the Debtors.
4. All underwriting and approvals of the sale leaseback transactions.
5. All alleged defaults under leases between Oak and the Debtors.
6. The performance by both sides under the leases between Oak and MEX.
7. Sheiker's service as a director of MEX.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 5<sup>th</sup> day of February, 2024, a true and correct copy of the foregoing Amended Notice of Rule 2004 Examination was served by electronic transmission upon (i) all parties eligible to receive service through this Court's CM/ECF system and (ii) the following:

Jared Sheiker  
c/o Benjamin T. Kurtz, Esq.  
Kirkland & Ellis LLP  
300 N. LaSalle  
Chicago, IL 60654

**GREENBERG TRAURIG, LLP**

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